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2 UNITED STATES DISTRICT COURT  
3 NORTHERN DISTRICT OF CALIFORNIA

4

5 PLANNED PARENTHOOD  
6 FEDERATION OF AMERICA, INC., et al.,

7

Plaintiffs,

8

v.

9

CENTER FOR MEDICAL PROGRESS, et  
al.,

10

Defendants.

Case No. 16-cv-00236-WHO

VERDICT FORM

## **Verdict Form**

*Planned Parenthood et al. v. Center for Medical Progress, et al.*

### **Introduction**

This verdict form is divided into sections A through K. Complete sections A through J to determine whether the Defendants are liable to the Plaintiffs on each of the Plaintiffs' claims. You must complete each of sections A through J.

Section K is used to determine the amount of punitive damages. Only complete Section K if you found at least one Plaintiff suffered harm on at least one claim in Sections A, E through F, and H through J.

You must follow the law provided to you in the Jury Instructions in answering the questions in this Verdict Form. After each question, a cross-reference to the most pertinent jury instructions is listed in [bracketed text].

Some of the questions require you to answer YES or NO to more than one Defendant. You must give an answer for each Defendant listed for a question. Within each section, there are instructions after each question that will tell you whether to answer the next question or to skip ahead to another question or to the next section.

Your answers must be unanimous for each question that you are

1  
2 required to answer.

3 Ask the court clerk if you need additional copies of this form.

4 Once you have reached a unanimous verdict on all questions that you  
5 are required to answer, the presiding juror should sign the verdict form and  
6 notify the court clerk that you are ready to present your verdict in the  
courtroom.

## Section A—Trespass

1. In what amount, if any, was PPFA damaged by Defendants Daleiden, Lopez, BioMax, and CMP's trespasses at the 2014 Forum, 2015 MeDC, and the 2015 National Conference?

[Instructions II.B.1; II.L.1-3, 5-7]

Damage Category	Plaintiff	Awarded Damages
Infiltration	PPFA	\$ 366,873
Security	PPFA (Nucatola) (Ginde) (Monitoring)	\$ 52,917

Answer the next question.

2. Did any Defendant conspire with Daleiden, Lopez, BioMax, or CMP to trespass at PPFA's conferences?

[Instructions II.K.1-2]

A. Albin Rhomberg  Yes \_\_\_\_\_ No \_\_\_\_\_

B. Troy Newman  Yes \_\_\_\_\_ No \_\_\_\_\_

Answer the next question.

3. In what amount, if any, was PPFA damaged by Defendants Daleiden, Merritt, BioMax, and CMP's trespass at the PPRM Stapleton Health Center?

[Instructions II.B.2; II.L.1-3, 5-7]

Damage Category	Plaintiff	Awarded Damages
Security	PPFA (Ginde)	

*Answer the next question.*

4. Did any Defendant conspire with Daleiden, Lopez, Merritt, or CMP to trespass at the PPRM Stapleton Health Center?

[Instructions II.K.1-2]

A. Albin Rhomberg  Yes  No

B. Troy Newman  Yes  No

*Answer the next question.*

5. In what amount, if any, was PPGC/PPCFC damaged by Daleiden, Merritt, BioMax, and CMP's trespass at the PPGC/PPCFC Health Center?

[Instructions II.B.3; II.L.1-3, 5-7]

Damage Category	Plaintiff	Awarded Damages
Security	PPGC/PPCFC (Farrell)	\$20,208

*Answer the next question*

6. Did any Defendant conspire with Daleiden, Lopez, BioMax, or CMP to trespass at the PPGC/PPCFC Health Center?

[Instructions II.K.1-2]

A. Albin Rhomberg  Yes  No

B. Troy Newman  Yes  No

\* \* \* End of Section \* \* \*

## **Section B—Breach of PPFA Exhibitor Agreements**

### **Liability**

1. Did any Defendant breach the 2014 Forum Exhibitor Agreement by violating an applicable law concerning fraud or privacy in performing their respective obligations under the contract?

[Instructions II.C.1-3, 5]

A. David Daleiden  Yes \_\_\_\_\_ No

B. BioMax  Yes \_\_\_\_\_ No

C. CMP  Yes \_\_\_\_\_ No

*Answer the next question.*

2. Did any Defendant breach the MeDC Exhibitor Agreement by violating an applicable law concerning fraud or privacy in performing their respective obligations under the contract?

[Instructions II.C.1-3, 5]

A. David Daleiden  Yes \_\_\_\_\_ No

B. BioMax  Yes \_\_\_\_\_ No

C. CMP  Yes \_\_\_\_\_ No

*Answer the next question.*

3. Did any Defendant breach the 2015 PPFA National Conference Exhibitor Agreement by violating an applicable law concerning fraud or privacy in performing their respective obligations under the contract?

[Instructions II.C.1-3, 5]

- |                   |                                     |     |                          |    |
|-------------------|-------------------------------------|-----|--------------------------|----|
| A. David Daleiden | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| B. BioMax         | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| C. CMP            | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

*Answer the next question.*

**Damages**

4. In what amount, if any, was PPFA damaged by breach of the PPFA Exhibitor Agreements, including the breaches that the Court has already found?

[Instructions II.C.4-5; II.L.1-2, 4-7]

Damage Category	Plaintiff	Awarded Damages
Infiltration	PPFA	\$ 366,873
Security	PPFA (Nucatola) (Ginde) (Monitoring)	\$ 52,917

\* \* \* End of Section \* \* \*

## Section C—Breach of NAF Agreements

1. In what amount, if any, was each Plaintiff damaged by the breach of the 2014 NAF Agreements and 2015 NAF Agreements by Defendants Daleiden, BioMax, Merritt, Lopez, BioMax, and CMP?

[Instructions II.C.6; II.L.1-2, 4-7]

Damage Category	Plaintiff	Awarded Damages
Security	PPFA (Nucatola)	\$ 49,360

\* \* \* End of Section \* \* \*

## Section D—Breach of PPGC Agreement

1. Did any Defendant breach the PPGC Nondisclosure Agreement?

[Instructions II.C.1-3, 7]

A. David Daleiden  Yes \_\_\_\_\_ No \_\_\_\_\_

B. BioMax  Yes \_\_\_\_\_ No \_\_\_\_\_

C. CMP  Yes \_\_\_\_\_ No \_\_\_\_\_

*If you answered Yes as to any Defendant, answer the next question.  
Otherwise, skip to the next Section.*

2. In what amount, if any, was PPGC damaged by the breach of the PPGC Nondisclosure Agreement?

[Instructions II.C.7; II.L.1-2, 4-7]

Damage Category	Plaintiff	Awarded Damages
Security	PPGC (Farrell)	\$ 20,208

\* \* \* End of Section \* \* \*

## Section E—Fraud

### Intentional Misrepresentation

1. Did any Defendant commit fraud or conspire to commit fraud through intentional misrepresentation? If Yes, as to which Plaintiff(s)?

[Instructions II.D.1-2, 4-7; II.K.1-2]

A. David Daleiden  Yes  No

If Yes, as to which Plaintiff(s)?

PPFA  PPGC  PPOSBC  PPPSGV

B. Sandra Merritt  Yes  No

If Yes, as to which Plaintiff(s)?

PPFA  PPGC  PPOSBC  PPPSGV

C. Adrian Lopez  Yes  No

If Yes, as to which Plaintiff(s)?

PPFA  PPGC  PPOSBC  PPPSGV

D. BioMax  Yes  No

If Yes, as to which Plaintiff(s)?

PPFA  PPGC  PPOSBC  PPPSGV

E. CMP  Yes  No

If Yes, as to which Plaintiff(s)?

PPFA  PPGC  PPOSBC  PPPSGV

F. Albin Rhomberg  Yes  No

If Yes, as to which Plaintiff(s)?

PPFA  PPGC  PPOSBC  PPPSGV

G. Troy Newman  Yes  No

If Yes, as to which Plaintiff(s)?

PPFA  PPGC  PPOSBC  PPPSGV

*If you answered Yes to any Defendant, answer the next question.  
Otherwise, skip to Question 3.*

2. In what amount, if any, was each Plaintiff damaged by the fraud?

[Instructions II.D.2; II.L.1-3, 5-7]

Damage Category	Plaintiff	Awarded Damages
Infiltration	PPFA	\$ 366,873
Security	PPFA	\$ 52,917
Security	PPGC	\$ 20,617
Security	PPOSBC	\$ 18,849
Security	PPPSGV	\$ 9,105

*Answer the next question.*

**False Promise Fraud**

**PPFA Exhibitor Agreements**

3. Did any Defendant commit or conspire to commit false promise fraud in connection with the PPFA Exhibitor Agreements?

[Instructions II.D.1, 3-6; II.K.1-2]

A. David Daleiden  Yes \_\_\_\_\_ No \_\_\_\_\_

B. Sandra Merritt  Yes \_\_\_\_\_ No \_\_\_\_\_

C. Adrian Lopez  Yes \_\_\_\_\_ No \_\_\_\_\_

D. BioMax  Yes \_\_\_\_\_ No \_\_\_\_\_

E. CMP  Yes \_\_\_\_\_ No \_\_\_\_\_

F. Albin Rhomberg  Yes \_\_\_\_\_ No \_\_\_\_\_

G. Troy Newman  Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered Yes as to any Defendant, answer the next question.  
Otherwise, skip to Question 5.

4. In what amount, if any, was PPFA damaged by the false promise fraud?

[Instructions II.D.3; II.L.1-3, 5-7]

Damage Category	Plaintiff	Awarded Damages
Infiltration	PPFA	\$ 366,873
Security	PPFA (Nucatola) (Ginde) (Monitoring)	\$ 52,917

*Answer the next question.*

PPGC NDA

5. Did any Defendant commit or conspire to commit false promise fraud in connection with the PPGC Nondisclosure Agreement?

[Instructions II.D.1, 3-6; II.K.1-2]

A. David Daleiden  Yes \_\_\_\_\_ No

B. Sandra Merritt  Yes \_\_\_\_\_ No

C. Adrian Lopez  Yes \_\_\_\_\_ No

D. BioMax  Yes \_\_\_\_\_ No

E. CMP  Yes \_\_\_\_\_ No

F. Albin Rhomberg  Yes \_\_\_\_\_ No

G. Troy Newman  Yes \_\_\_\_\_ No

*If you answered Yes as to any Defendant, answer the next question.  
Otherwise, skip to the next Section.*

6. In what amount, if any, was PPGC damaged?

[Instructions II.D.3; II.L.1-3, 5-7]

Damage Category	Plaintiff	Awarded Damages
Security	PPGC (Farrell)	\$ 20,208

\* \* \* End of Section \* \* \*

## Section F—RICO

1. Did any Defendant violate RICO or conspire to violate RICO?

[Instructions II.E.1-12]

A. David Daleiden  Yes  No

B. Sandra Merritt  Yes  No

C. Adrian Lopez  Yes  No

D. BioMax  Yes  No

E. CMP  Yes  No

F. Albin Rhomberg  Yes  No

G. Troy Newman  Yes  No

*If you answered Yes to any Defendant, answer the next question.  
Otherwise, skip the rest of this Section.*

2. In what amount, if any, was each Plaintiff damaged by Defendants' violation of RICO?

[Instructions II.E.2; II.L.1-3, 5-7]

Damage Category	Plaintiff	Awarded Damages
Infiltration	PPFA	\$ 366,873
Security	PPFA	\$ 52,917
Security	PPGC	\$ 20,617
Security	PPOSBC	\$ 18,849
Security	PPPSGV	\$ 9,105

\* \* \* End of Section \* \* \*

## **Section G—Recording (California Penal Code)**

1. For each recording below, answer "Yes" or "No" as to whether a Plaintiff has established the recording violated Penal Code 632. If you find a recording violated Penal Code 632, answer whether the Defendant established all the elements of a defense under Penal Code 633.5.

[Instructions II.G.1-5]

- A. PPNorCal via Dr. Drummond-Hay at NAF 2014

a. Violation?  Yes  No

b. 633.5 Defense?

i. Daleiden \_\_\_\_\_ Yes \_\_\_\_\_ ✓ No

ii. Merritt Yes  No

- ## B. PPFA via Dr. Nucatola at NAF 2014 - First Recording

a. Violation?  Yes  No

b. 633.5 Defense?

i. Merritt \_\_\_\_\_ Yes \_\_\_\_\_  No

- C. PPFA via Dr. Nucatola at NAF 2014 - Second Recording

a. Violation?  Yes  No

b. 633.5 Defense?

i. Merritt \_\_\_\_\_ Yes  No

D. PPFA via Dr. Nucatola at Craft Restaurant

a. Violation?  Yes \_\_\_\_\_ No

b. 633.5 Defense?

i. Daleiden \_\_\_\_\_ Yes  No

ii. Merritt \_\_\_\_\_ Yes  No

E. PPPSGV via Dr. Gatter at a/k/a Bistro

a. Violation?  Yes \_\_\_\_\_ No

b. 633.5 Defense?

i. Daleiden \_\_\_\_\_ Yes  No

ii. Merritt \_\_\_\_\_ Yes  No

F. PPPSGV via Felczer at a/k/a Bistro

a. Violation?  Yes \_\_\_\_\_ No

b. 633.5 Defense?

i. Daleiden \_\_\_\_\_ Yes  No

ii. Merritt \_\_\_\_\_ Yes  No

*Answer the next question if you found at least one recording violated Penal Code 632 and at least one Defendant did not establish a 633.5 defense. Otherwise, skip to the next Section.*

2. In what amount, if any, was each Plaintiff damaged by Defendant(s)' violation of Penal Code 632?

[Instructions II.G.1; II.L.1-3, 5-7]

Damage Category	Plaintiff	Awarded Damages
Security	PPFA (Nucatola)	# 49,360
Security	PPPSGV	# 9,105

Answer the next question.

3. Which Defendants, if any, conspired to violate Penal Code 632?

[Instructions II.K.1-2]

- A. David Daleiden       Yes       No
- B. Sandra Merritt       Yes       No
- C. Adrian Lopez       Yes       No
- D. BioMax       Yes       No
- E. CMP       Yes       No
- F. Albin Rhomberg       Yes       No
- G. Troy Newman       Yes       No

\* \* \* End of Section \* \* \*

## **Section H—Recording (Florida Law)**

1. For each recording below, answer “Yes” or “No” as to whether a Plaintiff has established the recording violated Florida Law.

[Instructions II.H.1-2]

A. PPFA via Dr. Nucatola at 2014 Forum - First Recording by

Adrian Lopez and David Daleiden

Yes  No

B. PPFA via Dr. Nucatola at 2014 Forum - Second Recording by

Adrian Lopez and David Daleiden

Yes  No

C. PPFA via K. Shea at 2014 Forum by Adrian Lopez and David

Daleiden

Yes  No

D. PPPSGV via Dr. Gatter at 2014 Forum by Adrian Lopez and

David Daleiden

Yes  No

E. PPCCC via Dr. Siegfried at 2014 Forum by Adrian Lopez and

David Daleiden

Yes \_\_\_\_\_ No

F. PPRM via Dr. Ginde at 2014 Forum by David Daleiden

Yes \_\_\_\_\_ No

G. PPFA via J. Gupta at 2015 MeDC - First Recording by Adrian

Lopez and David Daleiden

Yes \_\_\_\_\_ No

H. PPFA via J. Gupta at 2015 MeDC - Second Recording by

Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No

I. PPFA via Dr. Nucatola at 2015 MeDC - First Recording by

Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No

J. PPFA via Dr. Nucatola at 2015 MeDC - Second Recording by  
Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No

K. PPFA via D. VanDerhei at 2015 MeDC by Adrian Lopez and  
David Daleiden

Yes \_\_\_\_\_ No

L. PPPSGV via Dr. Mary Gatter at 2015 MeDC by Adrian Lopez  
and David Daleiden

Yes \_\_\_\_\_ No

M. PPOSBC via Dr. Russo at 2015 MeDC by Adrian Lopez and  
David Daleiden

Yes \_\_\_\_\_ No

N. B. PPGC via B. Smith at 2015 MeDC by David Daleiden

Yes \_\_\_\_\_ No

O. PPPSW via Dr. Moran at 2015 MeDC by Adrian Lopez and

David Daleiden

Yes  No

P. PPPSW via Dr. Nguyen at 2015 MeDC by Adrian Lopez and

David Daleiden

Yes  No

*Answer the next question if you found at least one recording violated Florida law. Otherwise, skip to the next Section.*

2. In what amount, if any, was each Plaintiff damaged by Defendant(s)' violation of Florida law?

[Instructions II.H.1; II.L.1-3, 5-7]

Damage Category	Plaintiff	Awarded Damages
Security	PPFA (Nucatola) (Ginde)	\$19,360
Security	PPOSBC	\$18,849
Security	PPPSGV	\$9,105

Answer the next question.

3. Which Defendants, if any, conspired to violate Florida law?

[Instructions II.K1-2]

- |                   |                                     |     |                          |    |
|-------------------|-------------------------------------|-----|--------------------------|----|
| A. David Daleiden | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| B. Sandra Merritt | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| C. Adrian Lopez   | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| D. BioMax         | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| E. CMP            | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| F. Albin Rhomberg | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| G. Troy Newman    | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

\* \* \* End of Section \* \* \*

## **Section I—Recording (Maryland Law)**

1. For each recording below, answer “Yes” or “No” as to whether a Plaintiff has established the recording violated Maryland Law.

[Instructions II.I.1-2]

- A. PPFA via Dr. Nucatola at 2015 NAF by David Daleiden

Yes \_\_\_\_\_ No

- B. PPFA via J. Castle at 2015 NAF by David Daleiden and Sandra

Merritt

Yes \_\_\_\_\_ No

- C. PPFA via D. VanDerhei at 2015 NAF by David Daleiden and

Sandra Merritt

Yes \_\_\_\_\_ No

- D. PPCFC via T. Nguyen at 2015 NAF - First Recording by Adrian

Lopez

Yes \_\_\_\_\_ No

E. PPCFC via T. Nguyen at 2015 NAF - Second Recording by

David Daleiden

Yes \_\_\_\_\_ No

F. PPGC/PPCFC via J. Krugler at 2015 NAF - First Recording by

Adrian Lopez

Yes \_\_\_\_\_ No

G. PPGC/PPCFC via J. Krugler at 2015 NAF - Second Recording

by David Daleiden

Yes \_\_\_\_\_ No

H. PPCFC via Dr. Schutt-Aine at 2015 NAF - First Recording by

Adrian Lopez

Yes \_\_\_\_\_ No

I. PPCFC via Dr. Schutt-Aine at 2015 NAF - Second Recording

by David Daleiden

Yes \_\_\_\_\_ No

*Answer the next question if you found at least one recording violated Maryland law. Otherwise, skip to the next Section.*

2. In what amount, if any, was each Plaintiff damaged by Defendant(s)' violation of Maryland law?

[Instructions II.I.1; II.L.1-3, 5-7]

Damage Category	Plaintiff	Awarded Damages
Security	PPFA (Nucatola)	\$ 49,360
Security	PPGC (Schutt-Aine)	\$ 409

*Answer the next question.*

3. Which Defendants, if any, conspired to violate Maryland law?

[Instructions II.K.1-2]

- |                   |                                     |     |                          |    |
|-------------------|-------------------------------------|-----|--------------------------|----|
| A. David Daleiden | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| B. Sandra Merritt | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| C. Adrian Lopez   | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| D. BioMax         | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| E. CMP            | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| F. Albin Rhomberg | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| G. Troy Newman    | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

\* \* \* End of Section \* \* \*

## **Section J—Recording (Federal law)**

1. For each recording below, answer “Yes” or “No” as to whether a Plaintiff has established the recording violated Federal Law.

[Instructions II.J.1-3]

A. PPGC via M. Linton at 2015 PPFA National Conference by

Adrian Lopez and David Daleiden

       Yes                  No

B. PPFA via Dr. Westhoff at 2015 PPFA National Conference by

Adrian Lopez and David Daleiden

      ✓      Yes                  No

C. PPFA via J. Castle at 2015 PPFA National Conference by

Adrian Lopez and David Daleiden

      ✓      Yes                  No

D. PPFA via K. Flood at 2015 PPFA National Conference by

Adrian Lopez and David Daleiden

      ✓      Yes                  No

E. PPFA via J. Fils-Aime at 2015 PPFA National Conference by

Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

F. PPFA via A. Grewer at 2015 PPFA National Conference by

Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

G. PPRM via Dr. Ginde at PPRM Stapleton Health Center by

Sandra Merritt and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

H. PPRM via J. Johnstone at PPRM Stapleton Health Center by

Sandra Merritt and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

I. PPGC via M. Farrell at PPGC Prevention Park Health Center

by Sandra Merritt and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

J. PPGC via Receptionist #1 at PPGC Prevention Park Health Center by Sandra Merritt and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

K. PPGC via Receptionist #2 at PPGC Prevention Park Health Center by Sandra Merritt and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

L. PPFA via Dr. Nucatola at 2015 NAF by David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

M. PPFA via J. Castle at 2015 NAF by David Daleiden and Sandra

Merritt  
 Yes \_\_\_\_\_ No \_\_\_\_\_

N. PPFA via D. VanDerhei at 2015 NAF by David Daleiden and

Sandra Merritt  
 Yes \_\_\_\_\_ No \_\_\_\_\_

O. PPCFC via T. Nguyen at 2015 NAF - First Recording by Adrian

Lopez

Yes \_\_\_\_\_ No

P. PPCFC via T. Nguyen at 2015 NAF - Second Recording by

David Daleiden

Yes \_\_\_\_\_ No

Q. PPGC/PPCFC via J. Krugler at 2015 NAF - First Recording by

Adrian Lopez

Yes \_\_\_\_\_ No

R. PPGC/PPCFC via J. Krugler at 2015 NAF - Second Recording

by David Daleiden

Yes \_\_\_\_\_ No

S. PPCFC via Dr. Schutt-Aine at 2015 NAF - First Recording by

Adrian Lopez

Yes \_\_\_\_\_ No

T. PPCFC via Dr. Schutt-Aine at 2015 NAF - Second Recording

by David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

U. PPFA via Dr. Nucatola at 2014 Forum - First Recording by

Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

V. PPFA via Dr. Nucatola at 2014 Forum - Second Recording by

Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

W. PPFA via K. Shea at 2014 Forum by Adrian Lopez and David

Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

X. PPPSGV via Dr. Gatter at 2014 Forum by Adrian Lopez and

David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

Y. PPCCC via Dr. Siegfried at 2014 Forum by Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

Z. PPRM via Dr. Ginde at 2014 Forum by David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

AA. PPFA via J. Gupta at 2015 MeDC - First Recording by Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

BB. PPFA via J. Gupta at 2015 MeDC - Second Recording by Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

CC. PPFA via Dr. Nucatola at 2015 MeDC - First Recording by Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

DD. PPFA via Dr. Nucatola at 2015 MeDC - Second

Recording by Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

EE. PPFA via D. VanDerhei at 2015 MeDC by Adrian Lopez

and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

FF. PPPSGV via Dr. Mary Gatter at 2015 MeDC - First

Recording by Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

GG. PPOSBC via Dr. Russo at 2015 MeDC - First Recording

by Adrian Lopez and David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

HH. B. PPGC via B. Smith at 2015 MeDC by David Daleiden

Yes \_\_\_\_\_ No \_\_\_\_\_

II. PPPSW via Dr. Moran at 2015 MeDC by Adrian Lopez and

David Daleiden

       Yes        No

JJ. PPPSW via Dr. Nguyen at 2015 MeDC by Adrian Lopez and

David Daleiden

       Yes        No

KK. PPNorCal via Dr. Drummond-Hay at 2014 NAF by David

Daleiden and Sandra Merritt

       Yes        No

LL. PPFA via Dr. Nucatola at 2014 NAF - First Recording by

Sandra Merritt

       Yes        No

MM. PPFA via Dr. Nucatola at 2014 NAF - Second Recording

by David Daleiden and Sandra Merritt

       Yes        No

NN. PPFA via Dr. Nucatola at Craft Restaurant by David Daleiden and Sandra Merritt

Yes \_\_\_\_\_ No

OO. PPPSGV via Dr. Gatter at a/k/a Bistro by David Daleiden and Sandra Merritt

Yes \_\_\_\_\_ No

PP. PPPSGV via L. Felczer at a/k/a Bistro by David Daleiden and Sandra Merritt

Yes \_\_\_\_\_ No

*Answer the next question if you found at least one recording violated Federal law. Otherwise, skip to the next Section.*

2. In what amount, if any, was each Plaintiff damaged by Defendant(s)' violation of Federal law?

[Instructions II.J.1; II.L.1-3, 5-7]

Damage Category	Plaintiff	Awarded Damages
Security	PPFA	\$ 52,917
Security	PPGC	\$ 20,617
Security	PPOSBC	\$ 18,849
Security	PPPSGV	\$ 9,105

*Answer the next question.*

4. Which Defendants, if any, conspired to violate Federal law?

[Instructions II.K.1-2]

- |                   |                                     |     |                          |    |
|-------------------|-------------------------------------|-----|--------------------------|----|
| A. David Daleiden | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| B. Sandra Merritt | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| C. Adrian Lopez   | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| D. BioMax         | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| E. CMP            | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| F. Albin Rhomberg | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| G. Troy Newman    | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No |

\* \* \* End of Section \* \* \*

### Section K—Punitive Damages

*Answer this section only if you have found one or more Defendants liable on one or more claims.*

1. Do you find by clear and convincing evidence that at least one Defendant is liable for punitive damages?

[Instructions II.M.1-2]

(Check one.)

Yes

No

*If you answered “Yes,” to Question 1, answer the next question. If you answered “No” to Question 1, skip the rest of this section.*

2. In what amount is each Defendant liable for punitive damages?

[Instructions II.M.1-2]

(You should only award punitive damages against a Defendant if you found against that Defendant on one or more of the following claims: Fraud, Trespass, Florida recording law, Maryland recording law, or Federal recording law.)

If you do not find an award of punitive damages is appropriate against a particular defendant, enter \$0. Otherwise, enter a dollar amount below.)

\$ # 125,000 David Daleiden

\$ Ø Adrian Lopez

\$ # 25,000 Sandra Merritt

\$ # 200,000 BioMax

\$ # 400,000 CMP

\$ # 50,000 Troy Newman

\$ # 70,000 Albin Rhomberg

\* \* \* End of Section \* \* \*

\* \* \*

Once your deliberations are complete, sign and date this verdict form below.

Dated: 11-15-2019

